

CSD 1001A [11/15/04]

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## UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF CALIFORNIA

325 West "F" Street, San Diego, California 92101-6991

In Re

Georgia L. Mansury

Debtor.

BANKRUPTCY NO. 10-06952-LT 13

Date of Hearing: September 21, 2010

Time of Hearing: 11:00 A.M.

Name of Judge: Margaret M. Mann

## ORDER ON

**Motion for Valuation of Debtor's Residence and Avoidance of Second Trust Deed**

IT IS ORDERED THAT the relief sought as set forth on the continuation pages attached and numbered two (2) through 2 with exhibits, if any, for a total of 2 pages, is granted. Motion/Application Docket Entry No. 16

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DATED: October 03, 2010

Judge, United States Bankruptcy Court

Signature by the attorney constitutes a certification under Fed. R. of Bankr. P. 9011 that the relief in the order is the relief granted by the court.

Submitted by:

Don Bokovoy Attorney At Law  
(Firm name)

By: /s/ Don Bokovoy  
Attorney for  Movant  Respondent

Having considered the Debtor's Motion for Valuation of Debtor's Residence and Avoidance of Second Trust Deed Lien Thereon in connection with Confirmation of Chapter 13 Plan and supporting brief, and declarations filed in support in this matter; and good cause otherwise appearing;

IT IS HEREBY ORDERED:

Pursuant to paragraph 19 of the Chapter 13 Plan dated April 22, 2010 entered as docket No. 2 ("Debtor's Plan")

1. That the value of Debtors' Property located at 10730 Caminito Cascara, San Diego, CA 92108 (the "Property") is valued at \$325,000.00 which is less than the amount due to lienholder GMAC Mortgage, LLC on its first trust deed (\$361,097.50);
2. That the second deed of trust (recorded as document number 2005-0813630 at the San Diego County Recorder) in favor of GMAC Mortgage, LLC and its successors and/or assigns (collectively "GMAC") is wholly unsecured, may be avoided and stripped off the Property upon completion of the Plan and Debtor's discharge, and its claim is totally unsecured;
3. That upon completion of the Plan and Debtors' discharge, the debt to GMAC is deemed fully satisfied and GMAC shall take all steps necessary and appropriate to reconvey and release its second deed of trust; and;
4. That Debtor's counsel is authorized to add, in connection with Plan confirmation, the guideline fee as reflected in the Rights and Responsibilities Statement for motions of this type.

IT IS SO ORDERED